

REMARKS

Claims 2-8 inclusive, the claims acted upon in the last Office Action, have been cancelled without prejudice in order to advance the prosecution of the present application and new Claims 8-14 have been substituted therefore. Reconsideration and allowance of the application are respectfully requested in view of the following remarks.

In the last Office Action Claims 2-7 inclusive were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wolfgang (DE 100 39 216) in view of Suzuki (US 5,544,000).

Wolfgang discloses an angle sensor comprising a cylindrical magnet (2), a magnetoelectric conversion element (4), and a correction part (3). The cylindrical magnet (2) is magnetized to one pole in inner surface and to another pole in outer surface. The magnetoelectric conversion element (4) is not disposed in the core of the cylindrical magnet. The correction part (3) is disposed inside of the cylindrical magnet.

Suzuki et al. discloses an angle sensor comprising two half cylindrical magnet (2a, 2b), a magnetoelectric conversion element (8a) at Figure 1. In Figure 16, flat plate magnets 304a and 304b and a cylindrical iron rotor 306 are disclosed. The magnets are not shaped cylindrically. The cylindrical iron rotor 306 is disposed on the outer circumferential surface of the magnets. In Figure 16, the cylindrical iron rotor 306 corrects only magnetic flux in the same plane (X-Y), not a A-axis direction.

New Claim 8 specifically calls for a magnetoelectric conversion element relatively rotated with the cylindrical magnet and a correction part provided on an outer circumference of

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the cylindrical magnet to correct axial magnetic flux density distribution. As pointed out above, the magneto-electric conversion element (4) of the Wolfgang reference is not relatively rotated with the cylindrical magnet as called for in new Claim 9. Furthermore, the correction part of Suzuki et al. is not provided on an outer circumferential surface of the cylindrical magnet to correct the axial magnetic flux density distribution. Accordingly, it is not seen how any combination of Wolfgang and Suzuki et al. could possibly meet the limitations of new Claim 8. There is no teaching in the references which would lead one skilled in the art to combine the references as alleged in the last Office Action. The only suggestion for combining the references in that manner would be the disclosure of the present application and such a combination involves hindsight and would not be permissible. This is also true with the complicated combination of the references with respect to the rejection of Claims 3-5 and Claim 7 as previously acted upon. Therefore, it is submitted that new Claims 8-14 inclusive are clearly patentable over the new teachings of Wolfgang or Suzuki et al. taken either alone or in combination with each other and it is respectfully requested that these claims be allowed and the application passed to issue forthwith.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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